

United States District Court
for the
Eastern District of Washington

UNITED STATES OF AMERICA)

v.)

SERGIO LUIS SALAZAR-MERCADO)

Case No. 2:23-MJ-0027-JAG)

CRIMINAL COMPLAINT

I, James Cain, the complainant in this case, state that the following is true to the best of my knowledge and belief.
On or about the date(s) January 18, 2023, in the Eastern District of Washington, and elsewhere, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. §§ 841(a)(1), (b)(1)(C), 846,

Attempted Distribution of Methamphetamine

This complaint is based on these facts:

☒ Continued on the attached sheet.

James Cain

Complainant's signature

James Cain, Special Agent, FBI

Printed name and title

- ☐ Sworn to before me and signed in my presence.
☒ Sworn to telephonically and signed electronically.

Date: _____

Judge's signature

James A. Goeke, United States Magistrate Judge

Printed name and title

City and state: Spokane, Washington

AUSA: CAB

County: Spokane

In re Affidavit in Support of Criminal Complaint as to Sergio Luis SALAZAR-Mercado

State of Washington)

: ss

County of Spokane)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, James Cain, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint seeking the arrest of Sergio Luis SALAZAR-Mercado for violating 21 U.S.C. §§ 841(a)(1), (b)(1)(C), 846, Attempted Distribution of a Mixture or Substance Containing a Detectable Amount of Methamphetamine.

2. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been since January 2018. Prior to serving as an FBI agent, I served as United States Border Patrol Agent for 11 years. During my time as a law enforcement officer, I have participated in numerous investigations into the distribution of controlled substances.

3. The facts set forth below are based upon (1) my own personal observations; (2) reports and information provided to me by other law enforcement

Affidavit of Special Agent Cain (23-mj-0027-JAG)- 1

agents or government agencies; (3) evidence collected through investigative operations. Because this affidavit is being submitted solely for establishing probable cause to support a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have only set forth facts necessary to support the authorization of the requested arrest warrant and criminal complaint.

INVESTIGATION

4. In the afternoon hours, on January 18, 2023, your affiant received information from Oregon State Patrol ("OSP") Trooper Austin Hopson, that Sergio Luis SALAZAR-Mercado ("SALAZAR") was encountered near Milepost 276 traveling north on Highway 97 near Klamath Falls, Oregon driving a grey Nissan Rouge with Washington State license plate number CFB2185¹. Trooper Hopson advised he observed the vehicle make an illegal lane change, a violation of Oregon Revised Statue 811.375, and initiated a traffic stop on the vehicle. During the course of the stop, SALAZAR was identified as the driver and sole occupant in the vehicle. During the stop, SALAZAR gave verbal consent to Trooper Hopson to search the grey Nissan Rouge. SALAZAR, who did not speak English,

¹ A review of Washington Department of Licensing records shows the vehicle is registered to Jose Angel SALAZAR in Mabton, Washington

communicated his consent with the assistance of OSP Trooper Alex Zuniga, a native Spanish speaker, who acted as interpreter. According to the information provided to your affiant at the time of writing this affidavit from Trooper Hopson and his supervisor OSP Sergeant Cliff Barden, with the help of Trooper Zuniga SALAZAR was made aware of what he was consenting to, and his right to revoke consent at any time. This verbal consent was also audio recorded. SALAZAR was also read his *Miranda* rights on scene by Trooper Zuniga.

5. During the search of the vehicle, Trooper Hopson discovered approximately 10 pounds of white crystalline substance (suspected methamphetamine) and approximately one kilogram of dark brown substance (suspect heroin) in the driver's side rear quarter panel of the vehicle. Trooper Hopson advised he needed to remove the interior panel to discover the items, which were in the natural void between the inside panel and the vehicle frame. Trooper Hopson informed your affiant that "TruNarc", a narcotic analyzing device, was utilized on the white crystalline substance and that substance tested as presumptive positive for methamphetamine. Trooper Hopson also advised that the dark brown substance was, in his training and experience, consistent in smell and appearance, with black tar heroin.

6. Trooper Hopson further advised that during the search of the vehicle, approximately 6,000 small blue pills were located in the center console. Trooper

Hopson stated he had to remove the outer plastic of the console to recover the pills. These pills were divided between 6 separate packages. Trooper Hopson informed your affiant these were consistent in appearance with fentanyl-laced pills, packaged in 1,000-pill packages, known as “boats”.

7. SALAZAR was transported away from the scene for interview. When they arrived at the interview location, SALAZAR was re-read his *Miranda* rights, in Spanish, by Klamath County Deputy Miguel Pena, who is also a native Spanish speaker. After being advised of his *Miranda* rights in Spanish, SALAZAR was interviewed by Sgt. Barden with the assistance Deputy Pena. This advisal of rights was also recorded.

8. Sgt. Barden advised me that during the interview, SALAZAR stated that he had “picked up” the “crystal”² and “pills” in Los Angeles, California the day before from an individual he did not know. SALAZAR stated he did not know what the other substance was (believed to be referring to the suspected heroin). SALAZAR advised he was the one who concealed the drugs in the vehicle and described, with particularity, where he hid the drugs in the vehicle. SALAZAR initially had advised he was bringing the drugs to Spokane, Washington to give to

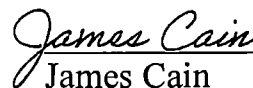
² Based on training and experience, your affiant knows “crystal” to be a short-hand, common slang term for methamphetamine.

an individual he did not know; however, later amended his statement and advised he was been bringing the drugs to Spokane to cut-up and sell.

9. Based on the foregoing, your affiant submits that there is probable cause to believe that on January 18, 2023, SALAZAR committed the offense of Attempted Distribution of a Mixture or Substance Containing a Detectable Amount of Methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), 846.

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Respectfully submitted,



James Cain
Special Agent
Federal Bureau of Investigation

Sworn to telephonically and signed electronically on this 18th day of January, 2023.

James A. Goeke
United States Magistrate Judge

AO 442 (11/11) Arrest Warrant

UNITED STATES DISTRICT COURT
For The Eastern District of Washington

United States of America)

v.)

SERGIO LUIS SALAZAR-MERCADO)*Defendant*)

Case No. 2:23-MJ-00027-JAG

ARREST WARRANT

TO: Any authorized law enforcement officer

YOU ARE HEREBY COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay *SERGIO LUIS SALAZAR-MERCADO* who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☒ Order of the Court.

The offense is briefly described as follows:

21 U.S.C. §§ 841(a)(1), (b)(1)(C), 846

Attempted Distribution of Methamphetamine

Date: _____

*Issuing officer's signature*City and state: Spokane, Washington
James A. Goeke, United States Magistrate Judge
Printed name and title

Return

This warrant was received on _____, and the person was arrested on _____
 at (city and state) _____.

Date: _____

*Arresting officer's signature*_____
Printed name and title

[illegible]

WASHINGTON STATE DEPARTMENT OF LICENSING QUERY RESPONSE

DRIVER STATUS QUERY. OLN/WDL32Z26D63B

NAME: SALAZAR MERCADO, SERGIO LUIS
DATE OF BIRTH: 02-06-1992
GENDER: M
HEIGHT: 5.05
WEIGHT: 207
EYE: BRO
RESIDENCE ADDRESS:
111 NORTH ST, WAPATO WA, 98951-8704
COUNTRY: USA

*** DRIVER LICENSE DETAILS ***

DRIVER LICENSE NON-COMMERCIAL CLASS: Licensed
DRIVER LICENSE COMMERCIAL CLASS:

DRIVER AUTHORIZATION ID: WDL32Z26D63B
JURISDICTION AUTHORITY CODE: WA
ISSUE DATE: 12-08-2022
EXPIRATION DATE: 02-06-2028

*** MEDICAL ATTESTATION ***



TRACKING 12/08/2022, 13:33:21 - MKE: D - Source: DOLDB - To: FBIS2 - ISN:
06GQ00V3YI - REF: 06GQ00V3YC